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EXAMINER

MOORE, IAN N

ART UNIT PAPER NUMBER

2661

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,014

Applicant(s)

SIEMENS ET AL.

Examiner

Ian N Moore

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings (**FIG. 4**) are objected to because it does **not** have brief/short description for labels 410, 408, 404, 402, 414, 416 and 412.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, “**speakers**”, “**turning on only speakers**”, and “**microphones**”, and “**turning on microphones**” (**in claim 7**) and must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. **If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement.** In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract of the disclosure is objected to because the inventive **step/method and purpose of converting the audio message into sound** as recited in claim 1 is not disclosed.

Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claims 10 and 15 are objected to because of the following informalities: Appropriate correction is required.

Claim 10 recites, "...the **bas** part..." in line 2. It is suggested to change to "the **base** part".

Claim 15 recites, "...the central processing unit **to** upon receiving..." in line 2. It is suggested to remove "to".

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 9 and 11-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites, "...before the transmitting the audio broadcast command from the base part, each portable part is assigned a time slot, **wherein at least one portable part is assigned a time slot other than the designated slot, so that before the transmitting the audio broadcast command at least one portable part does not broadcast audio messages during the designated time slot**..." in line 2-5. It is unclear which component is transmitting audio broadcast command: a base part or portable part. It is unclear which component does not broadcast audio messages during the designated time slot.

Claim 11 recites, "...a broadcast indicator on at least one of the plurality of portable parts, **wherein the portable parts.**" in line 2-3 of page 9. It is unclear what is the significant of the limitation "wherein the portable parts" since it neither further defines nor limit the plurality of portable parts and/or a broadcast indicator.

Claim 12 recites, "...choosing designated time slot.... sending out a broadcast command **designating the designated time slot**" in line 7-9. It is unclear what slot is being designated to and from. It is unclear where does this designated time slot actually locate: base part or portable part.

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Claim 13 recites, "...a broadcast command ..." in line 6. The claim 12, which claim 13 depends on, also recites, "...a broadcast command..." in line 9. It is unclear whether these two broadcast commands are the same command, different command, or the commands with different purposes.

Claim 14 recites, "...check for a command that ends the broadcast..." in line 4. It is unclear whether a command that ends the broadcast is the broadcast command or any specific command since neither specification nor drawings discloses a "specific" command that ends or terminates the broadcast.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Ciccone (U.S. 6,128,504).

Regarding Claim 11, Ciccone'504 discloses a time division multiple access system (see col. 9, lines 20-36; TDMA system), comprising:

a base part (see **FIG. 1, a cordless telephone base unit 10**) which generates a plurality of receiving time slots (see **FIG. 4, TDD base receive time slots**) and a plurality of

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sending time slots (see FIG. 3, TDD base transmit time slots in traffic mode, see FIG. 7-9, TDD base transmit time slots in acquisition mode); see col. 10, lines 10 to col. 12, lines 5,

wherein each pair of a receiving time slot (see FIG. 3 and 4, a combined receive time slot comprising RX1 and RX2) and a sending time slot (see FIG. 3 and 4, a combined transmit time slot comprising TX1 and TX2) forms a channel (see FIG. 3 and 4, a channel with 5 ms fixed frame cycle) of a plurality of channels (see FIG. 3 and 4, note that are plurality of channels; see col. 4, lines 10-15);

a plurality of portable parts (see FIG. 1, multiple portable Handset units 20,30,40), wherein each of the plurality of portable parts is assigned a channel (see FIG. 3 and 7, a channel is assigned/allotted/dedicated for two handset users (i.e. User 1 and User 2); see col. 9, lines 60-65; col. 10, lines 10-14, 43-60, see col. 14, lines 28-50); and

a broadcast indicator (see FIG. 2, a combined system Telephone circuit and keypad and display 265) on at least one of the plurality of portable parts (see FIG. 2, Handset 20; see col. 6, lines 39-54; note that a telephone circuits and keypad section 260 permits dialing and selecting such functions as talk, intercom and page modes for the handset unit 20 to communicate with the base unit 10. An interface unit and display 265 contains switches and a visual display for configuring the handset unit 20 in an appropriate mode for communicating with the base unit. Thus, it is clear the combined system is the broadcast indicator, which selects the broadcasting function (i.e. talk or page modes) and displaying/indicates such functions), wherein the portable parts (see FIG. 1, multiple portable Handset units 20,30,40).

Regarding Claim 12, Ciccone'504 discloses wherein the base part (see **FIG. 2**, Base 10) comprises:

a central processing unit (see **FIG. 2**, the combined system of Control Unit 110 and Time domain Duplexer 120); and

programming instructions (see col. 4, lines 51 –67; implementing ROM/RAM to store and generate commands) to cause the central processing unit to:

check for an indication of a broadcast (see **FIG. 12**, Step 1204; the combined control system determines/checks for signal/indication of whether the base station is requesting broadcast; see col. 18, lines 26-40);

if a broadcast is indicated (see **FIG. 14**, step 1204, when the signal/indication indicates YES):

choosing a designated time slot (see **FIG. 7**, Base station TDD, acquisition mode time slot user 1 and user 2) of the plurality of sending time slots (see **FIG. 12**, step 1212 and 1215; see **FIG. 7**, Base station TX1 and TX2) and plurality of receiving time slots (see **FIG. 7**, RX1 and RX2); note that the base station chooses/designates/assigns a time slot of transmitting time slots and receiving slots for users; see col. 11, lines 44-60); and

sending out a broadcast command designating the designated time slot (see **FIG. 12**, Step 1217, transmit broadcast commands; see col. 19, lines 10-25; note that base station a broadcast command in acquisition mode utilizing chose/designed/assigned time slot).

Regarding Claim 13, Ciccone'504 discloses wherein each portable part (see FIG. 2, Handset 20) comprises:

a central processing unit (see FIG. 2, a combined system of Control unit 210 and time domain duplexer 220); and

programming instructions (see col. 7, lines 20-33; implementing ROM/RAM to store and generate commands) to cause the central processing unit to:

check for a broadcast command (see FIG. 15, steps 1504, 1531, 1533, 1535, 1537; see col. 16, lines 15-61, see col. 17, lines 56-67, see col. 20, lines 46 to col. 21, lines 17; note that the handset stations awakes and search/check for the hopping base station, who sends the broadcast) and

upon receiving a broadcast command change a receiving time slot from a receiving time slot of the portable part's channel to the designated time slot (see FIG. 15, step 1537; see col. 22, lines 6-40, note that upon receiving the broadcast command, the handset unit performs according to the command in the received time slot, changes/processes the receiving time slot of handset unit to a receiving only time slot (i.e. designated time slot), and join the base station by begins hopping from the channel.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brownless (U.S. 6,449,480) in view of Ciccone'504.

Regarding claim 1, Brownlee'480 discloses a method for providing an audio broadcast for a time slot division system (see col. 1, lines 9-24; the DECT system which utilizes time slots) with a base part (see FIG. 1, Base Station 1) and a plurality of portable parts (see FIG. 1, Handsets 4 and 5), comprising:

broadcasting an audio message (see FIG. 2, a broadcast LCE-PAGE-REQUEST and ALERTING-ON-CONTINUE message 55) from a base part (see FIG. 2, a broadcast message 55 is sent from base station FP 51) during a single time slot (see col. 2, lines 38-49; a single Broadcast B time slot) of a time division (see col. 3, lines 13-27; note that the time slots are divided as CC-SETUP slots, CC-ALERT slots, LCE-PAGE-REQUEST and ALERTING-ON-CONTINUE; also see col. 5, lines 4-30; note that a broadcast message is sent by utilizing a single time slot to both handsets);

receiving the audio message at the plurality of portable parts (see FIG. 2, broadcast message 55 is received at handset PP_1 at 52 and PP_2 at 53; see col. 5, lines 2-21); and

converting the audio message (see FIG. 2, 54 and 55, I/C call-Ring ON) into sound by the plurality of portable parts (see FIG. 2, Both handsets PP_1 and PP_2 start ringing; note that the audio I/C message of LCE-PAGE-REQUEST is converted into ringing sound), which form part of the time slot division system (see FIG. 2, the converted ringing sound is the part of time slot division system which is triggered by the request sent via a time slot); see col. 5, lines 2-21.

Brownlee'480 does not explicitly disclose a time division multiple access system.

However, the above-mentioned claimed limitations are taught by Ciccone'504. In particular, Ciccone'504 teaches an audio broadcast for a time division multiple access system (see col. 9, lines 20-36; TDMA system) with a base part (see FIG. 1, a cordless telephone base unit 10) and a plurality of portable parts (see FIG. 1, multiple portable Handset units 20,30,40), comprising:

broadcasting an audio message from a base part during a single time slot (see FIG. 3 and 4, a combined transmit time slot comprising TX1 and TX2) of a time division (see FIG. 3 and 4, a channel with 5 ms fixed frame cycle of the time division plurality of channels; see col. 4, lines 10-15; see col. 2, lines 16-20);

the time division multiple access system (see col. 9, lines 20-36; TDMA system).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the purpose of providing a TDMA system, as taught by Ciccone'504, since Ciccone'504 states the advantages/benefits at col. 9, lines 20-32, see col. 10, lines 45-49; that it would provide multiple access operations for pluralities of users and utilizes throughput offered by the use of channels. The motivation being that by utilizing TDMA system, it would increase the efficient use of the radio link bandwidth by multiplexing the plurality user channels and into a single radio channel.

Regarding claim 2, Brownlee'480 discloses generating an audio broadcast command at the base part (see FIG. 2, a broadcast LCE-PAGE-REQUEST and ALERTING-ON-CONTINUE message 55 is created/generated at the base station FP 51);

transmitting the audio broadcast command from the base part to the plurality of portable parts (see FIG. 2, broadcast message 55 is send to both handset PP_1 at 52 and PP_2 at 53; see col. 5, lines 2-21; also see col. 5, lines 4-30; note that a broadcast message is sent by utilizing a single time slot to both handsets)

Ciccone'504 discloses placing the plurality of portable parts in a receiving mode (see FIG. 15, step 1537, Received Only Mode; see col. 22, lines 6-40, note that upon receiving the broadcast command, the handset unit performs according to the command in the received time slot and changes/processes the receiving time slot of handset unit to a receiving only time slot (i.e. designated time slot)).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the purpose of providing handsets which operates in receive only mode upon receiving a broadcast command, as taught by Ciccone'504, since Ciccone'504 states the advantages/benefits at col. 22, lines 6-18, that it would provide the handset unit to join the hopping base station unit. The motivation being that by joining the hopping base while operating in receive only mode, it would synchronize the channel operation between the handset and base station which reduces the transmission delay and increase throughput.

Regarding claim 3, the combined system of Brownlee'480 and Ciccone'504 discloses wherein the placing the plurality of portable parts in a receiving mode as described above in claim 2. Brownlee'480 discloses a single time slot (see **FIG. 2, a broad cast message 55 is sent from base station FP 51**).

Ciccone'504 further discloses synchronizing the plurality of portable parts to the a single time slot (see **FIG. 15 and 16, Steps 1539,1541, 1601, 1602; see col. 22, line 1-40; see col. 21, lines 1-16; note that by utilizing BIGSYNC, the system synchronizes the handsets to a single time slots**).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claims 1-2.

Regarding claim 4, Ciccone'504 discloses designating the single time slot (see **FIG. 12, Step 1217, transmit broadcast commands; see col. 19, lines 10-25; note that base station a broadcast command in acquisition mode utilizing chose/designed/assigned time slot**).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claims 1-3.

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Regarding claim 5, Brownlee'480 discloses wherein at least one of the plurality of portable parts is a hands free unit (see **FIG. 1, Handsets 4 and 5**),

wherein the step of converting the audio message into sound by the hands free unit is automatic (see **FIG. 2, Both handsets PP_1 and PP_2 start ringing; note that the audio I/C message of LCE-PAGE-REQUEST is converted into ringing sound in the handset automatically; see col. 5, lines 2-21**).

Ciccone'504 discloses converting the audio message into sound by the hands free unit is automatic (see **FIG. 2, Handset 20 comprises Control unit 210, D/A A/D converter unit 225, Hybrid 283, and speaker 281. These components automatically converting audio message to sound; see col. 6, lines 39 to col. 7, lines 12**), and

wherein the placing of the plurality of portable parts in a receiving mode places the plurality of portable parts in a receive only mode (see **FIG. 15, step 1537, Received Only Mode; see col. 22, lines 6-40, note that upon receiving the broadcast command, the handset unit performs according to the command in the received time slot and changes/processes the receiving time slot of handset unit to a receiving only time slot (i.e. designated time slot)**).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claims 1-4.

Regarding claim 6, Ciccone'504 discloses originating broadcast origination signal at an additional portable part (see FIG. 15, steps 1501, 1502, 1504, 1507, 1509, 1511; see col. 20, lines 47 to col. 67, see col. 21, lines 17-50; note that the handset initiates/originates the broadcast/acquisition signal/frame after awaking);

transmitting a broadcast origination signal from the additional portable part to the base part (see FIG. 15, step 1513, see col. 21, lines 17-37; note that broadcast/acquisition signal/frame from the handset is send) and

transmitting the audio message from the additional portable part to the base part (see col. 8, lines 40-60; note that when the handset user initiates the transmission, the audio message is transmitted to the base station).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claims 1-5.

Regarding claim 7, Ciccone'504 discloses turning on only speakers (see FIG. 2, speaker 281 of handset 20) of the plurality of portable parts (see FIG. 1, Handsets 20,30 and 40) without turning on microphones (see FIG. 2, microphone 282) of the plurality of portable parts (see col. 22, lines 6-12; note that in the receive only mode, the transmitter of the handset unit is turned off. Thus, it is clear that the microphone, which transmits the audio message, is turned off. Also, it is clear that in receive only mode, the receiver of the handset unit must be on in order to receive.)

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In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claims 1-6.

Regarding claim 8, Ciccone'504 discloses wherein the base part and the plurality of portable parts form a time division multiple access cordless telephone system (see col. 9; lines 20-36; TDMA system).

In view of this, having the system of Brownlee'480 and then given the teaching of Ciccone'504, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brownlee'480, for the same purpose and motivation as described above in claim 1.

8. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccone'504 in view of Cooper (U.S. 5,386,435).

Regarding claim 14, Ciccone'504 discloses the broadcast command and the time slots of the channel for the portable part as described above in claims 11-13. Ciccone'504 further discloses synchronizing to time slots of the channel for the portable part (see FIG. 15 and 16, Steps 1539, 1541, 1601, 1602; see col. 22, line 1-40; see col. 21, lines 1-16; note that by utilizing BIGSYNC, the system synchronizes to time slots of the channel for the handset).

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Ciccone'504 does not explicitly disclose check for a command that ends the broadcast.

However, the above-mentioned claimed limitations are taught by Cooper'435. In particular, see Cooper'435 teaches checking for a command that ends the broadcast (see **FIG. 3, BACAST EOM message from the base station is received and decoded**); and

Synchronizing to time slots of the channel for the portable part (see **col. 13, lines 1 to col. 14, line 30; note that upon receiving the broadcast EOM at the mobile terminal, the terminal synchronizes to the time slots of the channel**).

In view of this, having the system of Ciccone'504 and then given the teaching of Cooper'435, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Ciccone'504, for the purpose of providing an broadcast end-of-message command with the hopping sequence, as taught by Cooper'435, since Cooper'435 states the advantages/benefits at col. 13, lines 65 to col. 14, lines 5 that it would decreases the average time required for synchronization of a terminal. The motivation being that by providing an EOM message, it can reduce the delay and synchronizing failures since both the time slots of the channel base station and the terminal are synchronized.

Regarding claim 15, the combined system of Ciccone'504 and Cooper'435 discloses wherein the programming instructions for the portable parts that cause the central processing unit to upon receiving a broadcast command change a receiving time slot from a receiving time slot as described above in claim 13.

Ciccone'504 further discloses placing the plurality of portable parts in a receiving mode (see FIG. 15, step 1537, Received Only Mode; see col. 22, lines 6-40, note that upon receiving the broadcast command, the handset unit performs according to the command in the received time slot and changes/processes the receiving time slot of handset unit to a receiving only time slot (i.e. designated time slot) I.)

Regarding claims 16 and 17, Ciccone'504 discloses wherein the base part (see FIG. 2, Interface unit and display 165 of the Base 10 indicates the different operation modes (i.e. broadcast/acquisition or traffic mode) of the base station) and all of the portable parts as have a broadcast indicator (see FIG. 2, a combined system Telephone circuit and keypad and display 265 selects the broadcasting function (i.e. talk or page modes) and displaying/indicates such functions; see col. 6, lines 39-54; see col. 4, lines 10-14, also note that handsets 20,30 and 40 incorporate the same components and the operation is identical);

wherein the broadcast indicators are buttons (see FIG. 2, Interface unit and display 165 is the button on the face of the base station unit 10, and a combined system Telephone circuit and keypad and display 265 is the button on the face of the handset 20).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brownlee'480 and Ciccone'504, as applied to claim 1-8 above, and further in view of Honkasalo (U.S. 6,005,857) and well established teaching in art.

Regarding claim 9, the combined Brownlee'480 and Ciccone'504 discloses wherein transmitting the audio broadcast command from the base part and each portable part is assigned a time slot as described above in claims 1-8.

Neither Brownlee'480 nor Ciccone'504 explicitly discloses assigned a time slot other than the designated slot (**see Honkasalo'857 col. 2, lines 5-10; note that a high speed data signal is splitted and allocated to a low speed time slot other than a designated high speed time slot**),

However, the above-mentioned claimed limitations are taught by Honkasalo'857. In view of this, having the combined system of Brownlee'480 and Ciccone'504, and then given the teaching of Honkasalo'857, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Brownlee'480 and Ciccone'504, for the purpose of assigning a time slot other than designated slot, as taught by Honkasalo'857, since Honkasalo'857 states the advantages/benefits at col. 2, lines 34-45, that it would provide would increase the data transfer rate by splitting the traffic. The motivation being that by dividing and assigning the traffic to a time slot other than designated time slot, it can increase the data transfer rate, thereby increase the throughput.

Neither Brownlee'480, Ciccone'504, nor Honkasalo'857 explicitly discloses assigning to other slot so that it does not broadcast/transmit message during the designated slot. Note that it is well known in the art that, in order to avoid collision and transmission overlaps, one must assigned one user's traffic to other slot, which is different from designated or traditional slot before the transmission. By doing so, during the transmission of designated slots for one user would not transmit together with other user, thereby by avoiding collision.

However, the above-mentioned claimed limitations are taught by well-established teaching in art. In view of this, having the combined system of Brownlee'480, Ciccone'504, and Honkasalo'857, and then given the teaching of well established teaching in art, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system, for the purpose of assigning the traffic to the other in order to avoid collisions before transmission, as taught by well established teaching in art. The motivation being that by assigning the traffic to a time slot other than designated time slot before transmission so that it does not transmit designated time slot, it can reduce the network congestion and increase the reliability since the traffic are send in differently at different time slot.

Allowable Subject Matter

10. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claim 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
12. Claim 10 would be allowable if rewritten to overcome the objection set forth in paragraph 4 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N Moore whose telephone number is 703-605-1531. The examiner can normally be reached on M-F: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on 703-308-7828. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KENNETH VANDERPUYE
PRIMARY EXAMINER